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Patents
Serial No. 09/473,383RECEIVED
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	DOMINIC J. MOREA, ET. AL.)	Group No.	3627
)		
Serial No.:	09/473,383)	Examiner:	G. J. O'Connor
)		
Filing Date:	DECEMBER 28, 1999)	Confirmation	No. 9919
)		
Entitled:	MERCHANT ACCOUNT)	Atty. Docket	10161-28700
	ACTIVATION SYSTEM)		

AMENDMENT AFTER FINAL AND RECORD OF INTERVIEW

Commissioner for Patents
P.O. Box 1450
Arlington, VA 22313

After Final Facsimile 703-872-9306

Responsive to the Office Action mailed January 7, 2005 containing a final rejection, and in connection with the concurrently filed (and second) Request for Continued Examination (RCE), please amend the application as follows and consider the appended remarks.

This amendment is submitted in compliance 37 C.F.R. 1.121 and contains the following separate sections that start on a separate sheet:

Introductory Remarks / Record of Interview begins on page 2 of this paper.

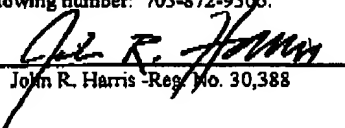
Amendments to the Claims begin on page 4 of this paper.

Statement Regarding Common Ownership of *Zirkel* Patent begins on page 21 of this paper.

Remarks begin on page 22 of this paper.

CERTIFICATE OF TRANSMISSION

I hereby certify under 37 C.F.R. § 1.8 that this correspondence is being filed via facsimile to the United States Patent and Trademark Office on April 7, 2005 to the following number: 703-872-9306.


John R. Harris - Reg. No. 30,388

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INTRODUCTORY REMARKS

This response is submitted as the required submission to accompany a contemporaneously filed Request for Continued Examination (RCE) under 37 C.F.R. 1.114.

Claims 1-15, 17-20, 22-24, and 26-52 are pending in this application, prior to this amendment. Claims 15, 20, and 24 have been canceled. New independent claims 53, 54, and 55 are presented for entry, and present the subject matter of claims 15, 20, and 24, respectively, in an acceptable format in accordance with *In re Beauregard*, 53 F.3d 1583 (Fed. Cir. 1995).

RECORD OF INTERVIEW

In response to the Office Action final rejection, the undersigned spoke with Examiner O'Connor by telephone on March 29 and April 6, 2005 to discuss the rejection. The applicants and the undersigned appreciate the courtesy extended by the examiner during the interview.

Pursuant to 37 C.F.R. § 1.133(b), the following is submitted as a complete written statement of the reasons presented at the interview as warranting favorable action. The following statement is intended to comply with the requirements of MPEP § 713.04 and expressly sets forth: (A) a brief description of the nature any exhibit shown or any demonstration conducted; (B) identification of the claims discussed; (C) identification of specific prior art discussed; (D) identification of the principal proposed amendments of a substantive nature discussed; (E) the general thrust of the principal arguments; and (F) a general indication of any other pertinent matters; and (G) the general results or outcome of the interview, if appropriate.

The undersigned contacted the examiner to advise as to the common ownership of the *Zirkel* patent (6,135,349) and determine how to remove this patent as a reference under 35 U.S.C. § 103(c). (A) No exhibits were shown or discussed. (B) No claims were specifically discussed. (C) The *Zirkel* patent was discussed generally, as regards its ownership, but not specifically. (D) No specific proposed amendments were presented or discussed. (E) The general thrust of the discussion was as set forth below in the next paragraphs. (F) No other

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matters were discussed. (G) No agreement was reached during the interview regarding the claims.

The general thrust of the discussion was manner for removing the *Zirkel* patent as a reference. The examiner indicated that a statement on the record relating to common ownership of the reference and the present invention, at the time the invention was made, would be acceptable. The examiner indicated that no further submissions would be accepted at this stage because the case is under final rejection, and suggested that the applicants file an RCE and respond to the Office Action in writing along the lines of the foregoing.

In the event that the foregoing record is not considered complete and accurate, the examiner is respectfully requested to bring any incompleteness or inaccuracy to the attention of the undersigned.